

REMARKS

Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks. Claims 1-37 remain pending. Of these, claims 1, 3, 5, 8, 9, 10, 16, 18, 20, 32, 34 and 36 are independent.

§ 103 REJECTION – WATANABE, REZVANI

Claims 1-3, 5, 6, 8-11, 13, 14, and 20-32 stand rejected under 35 USC §103(a) as allegedly being unpatentable over Watanabe (US Publication 2003/0115277) in view of Rezvani (USP 6,686,838). *See Office Action item 4.* Applicant respectfully traverses.

35 USC §103(c) states “Subject matter developed by another person, which qualifies as prior art only under one or more subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.”

In the present instance, Watanabe is disqualified as prior art. At the time of the present application was filed (July 31, 2001), both the present application and Watanabe were assigned to a common assignee, Fuji Photo

Film Co., Ltd. Thus, under 35 USC §103(c), Watanabe is disqualified as a valid prior art.

Also, Rezvani also does not qualify as valid prior art. Rezvani claims the benefit of a provisional application 60/230,318 filed on September 6, 2000. This post-dates the date of the present application's priority document of July 31, 2000. Applicant will submit a Verified Translation of the priority document to perfect the claim of priority. Therefore, Rezvani is also disqualified as prior art.

Since both Watanabe and Rezvani are disqualified as valid prior art, any rejection based on either of these references is invalid. Therefore, Applicant requests that the rejection of claims 1-3, 5, 6, 8-11, 13, 14, and 20-32, based on Watanabe and Rezvani, be withdrawn.

§ 103 REJECTION – WATANABE, REZVANI, RANTZE

Claims 4, 7, 12, 15, and 33 stand rejected under 35 USC 103(a) as allegedly being unpatentable over Watanabe and Rezvani and in further view of Rantze et al. (USP 6,726,094). *See Office Action item 5.* Applicant respectfully traverses.

As noted above, any rejection based on either Watanabe or Rezvani is invalid. Therefore, Applicant respectfully requests that the rejection of claims 4, 7, 12, 15, and 33 based on Watanabe, Rezvani and Rantze, be withdrawn.

§ 103 REJECTION – WATANABE, REZVANI, BANCROFT

Claims 16-19, 34 and 36 stand rejected under 35 USC 103(a) as allegedly being unpatentable over Watanabe and Rezvani and in further view of Bancroft et al. (USP 6,584,375). *See Office Action item 6.* Applicant respectfully traverses.

As noted above, any rejection based on either Watanabe or Rezvani is invalid. Therefore, Applicant respectfully requests that the rejection of claims 16-19, 34 and 36 based on Watanabe, Rezvani and Bancroft, be withdrawn.

§ 103 REJECTION – WATANABE, REZVANI, BANCROFT, RANTZE

Claims 35 and 37 stand rejected under 35 USC 103(a) as allegedly being unpatentable over Watanabe, Rezvani, Bancroft and Rantze. *See Office Action item 7.* Applicant respectfully traverses.

As noted above, any rejection based on either Watanabe or Rezvani is invalid. Therefore, Applicant respectfully requests that the rejection of claims 35 and 37 based on Watanabe, Rezvani, Bancroft and Rantze, be withdrawn.

CONCLUSION

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in


condition for allowance. Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant respectfully petitions for a two (2) months extension of time for filing a reply in connection with the present application, and the required fee is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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